

Case 1:11-cv-10071-PBS Document 94 Filed 02/10/14 Page 1 of 6

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARC FELIX,

Plaintiff,

v.
C.P.Q. Freight System, et al.,

Defendants.

Civil Action No. 11-10071-PBS

REPORT AND RECOMMENDATION ON PLAINTIFF'S
RENEWED MOTION FOR DEFAULT JUDGMENT
[Docket No. 90]

February 10, 2014

Boal, M.J.

Plaintiff Marc Felix ("Felix") filed a renewed motion for default judgment. Docket No. 90.¹ For the following reasons, this Court recommends that the District Judge assigned to this case deny the motion.

I. BACKGROUND

On January 4, 2012, Felix filed a Second Amended Complaint. Docket No. 43.² Felix alleges that on June 23, 2008, a truck operated by C.P.Q. Freight System collided into a Fung Wah Bus Company bus, in which he was a passenger. Amended Complaint at ¶¶ 8, 12. Felix

¹ The District Court referred this motion to the undersigned on November 18, 2013. Docket No. 91.

² Felix had previously settled with defendant Fung Wah Bus Company. See Docket Nos. 40 and 42.